

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

LELAND K. EDWARDS, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
v.                     )               1:15CV91  
                        )  
ORANGE COUNTY JAIL SHERIFF'S )  
DEPARTMENT, et al.,    )  
                        )  
Defendant(s).        )

**ORDER**

On August 19, 2016, the United States Magistrate Judge's Order and Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 36, 37.) In the Recommendation, the Magistrate Judge directed the Clerk's Office to mail to Plaintiff a new Declaration and Request to Proceed In Forma Pauperis form for him to complete and return. Plaintiff was also forewarned that failure to complete and return the form on or before September 19, 2016, would result in dismissal of this action. Plaintiff filed no objections within the time limits prescribed by Section 636. Also, Plaintiff has to this date neither complied with the Order nor shown good cause for his failure to complete and return the request to proceed IFP.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted. **Plaintiff**

is HEREBY CAUTIONED that he will be permitted an additional ten days to complete and return a new Declaration and Request to Proceed In Forma Pauperis, to and including October 7, 2016. Failure to do so will result in dismissal.

IT IS THEREFORE ORDERED that Defendants' Motion to Set Aside Default (Doc. 18) is GRANTED and that the Clerk's Entry of Default (Doc. 15) is set aside. Defendants shall have a period of 20 days within which to file an answer.

This the 28th day of September, 2016.

  
\_\_\_\_\_  
United States District Judge